

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ATTORNEY DOCKET NO. 053466-0299

Applicant:

Akihiro FUNAKOSHI et al.

Title:

A PREVENTIVE OR THERAPEUTIC AGENT FOR

PANCREATITIS COMPRISING IL-6 ANTAGONIST AS AN

ACTIVE INGREDIENT

Appl. No.:

09/762,550

Filing Date:

02/09/2001

Examiner:

Unassigned

Art Unit:

1647

TECH CENTER 1600/2900

JUN 2 7 2003

RECEIVED

Conf. No.:

5276

UNDER 37 CFR § 1.56

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Harold C. Wegner

Attorney for Applicant Registration No. 25,258

<u>June 26, 2003</u>

Date

FOLEY & LARDNER

Customer Number: 22428

22420

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5300

Faraille (202)

Facsimile:

(202) 672-5399

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Unassigned

053466-0299

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449B/PTO 09/762,550 Application Number INFORMATION DISCLOSURE JUN 2 6 2003 02/09/2001 STATEMENT BY APPLICANT Filing Date Akihiro FUNAKOSHI et al. First Named Inventor Date Submitted: June 26, 2003 1647 **Group Art Unit** ENT & TRAD

Examiner Name

Attorney Docket Number

(use as many sheets as necessary)

Sheet

of

U.S. PATENT DOCUMENTS						
Examiner Initials*		U.S. Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant
	Cite No. ¹	Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
						RECEIVED
						JUN 2 7 2003
					TEC	I CENTER 1600/2 900

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴ Kind Code ⁵			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant	- 6	
		Office	Number	(if known)			Figures Appear	l l'	
									
								-	
								1	
	· · · · · · · · · · · · · · · · · · ·								
								1	

NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No.1	* 3 Itam (nook manazine jojirna) senai symposijim cajajoo etc.) date. Dadets), vojujije issue (jujijocit					
	A1	GROSS et al., "Inflammatory Mediators and Cytokines - New Aspects of the Pathophysiology and Assessment of Severity of Acute Pancreatitis?," Hepato-Gastroenterol, Georg Thieme Verlag Stuttgart, Vol. 40, 1993, pp. 522-530.					

Examiner Signature	Date Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

Applicant is to place a check mark here if English language Translation is attached.